8847812/2024/TE-SEI01

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SD&T Dept., – Technical Education – Reservation of 5% seats for persons with benchmark disabilities on horizontal basis in each of GEN, GEN-EWS, OBCNCL, SC and ST category seats without earmarking seats Disability category wise and giving an upper age relaxation of Five Years for Admission in all Government/Government Aided/Private Polytechnics, Pharmacy and Engineering Colleges having Diploma Level Courses receiving Aid from the Government from the Academic year 2024-25 – Orders – Issued.

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SKILLS DEVELOPMENT & TRAINING (TE) DEPARTMENT

G.O.Ms.No.10

Dated:06.05.2024

Read the following:-

1. G.O.Ms.No.130,Higher Education(T.E-1)Department, dated.06.09.2000.
2. The Gazette of India-Ministry of Law and Justice-The Rights of Persons with Disabilities Act, 2016, Dated 28.12.2016.
3. G.O Ms.No.13, Department of Women, Children, Differently Abled and Senior Citizens (Prog.II),dated.19.04.2023 adopted the Andhra Pradesh Rights of Persons with Disabilities Rules, 2023.
4. G.O.Ms.No.27 Department for Women, Children, Differently Abled and Senior Citizens (PROG.II), Dated.14.05.2023.
5. From the Director of Technical Education Lr.No.H/Admissions/0001/2024, Dated.07.02.2024.
6. Letter from the Director, Welfare of Differently Abled Transgender & Senior Citizens, addressed to the Director of the Technical Education, Letter No.D/2398773/2024, Dated:03.04.2024.

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ORDER:

In the G.O 1st read above, the Government of Andhra Pradesh has provided 3% horizontal reservation for Physically Handicapped (PH) for admission into Polytechnic Diploma Courses in each group i.e., OC, BC, SC, and ST in the following cyclic Order:

i. 1% for Visually Handicapped
ii. 1% for Hearing Impaired
iii. 1% for Orthopaedically Handicapped

Till now the candidates with 40% to 75% impairment are allowed for admission into Diploma Courses in case of Visually Handicapped and Hearing Impaired. Whereas for Orthopedically Handicapped Candidates evaluation is done based on mobility and stability components as described in the G.O.Ms.No.56, Women Development, Child Welfare & Disabled Welfare (DW) Department, dated.02.12.2002 by the Medical Officer for Admission into Polytechnics. The above reservation shall not be applicable for the candidates with following defects:(a) Mentally Retarded, (b) Blindness, (c) Deaf and Dumb, (d) Chronic Heart, Lung, Kidney, Liver Diseases and (e) Muscular Dystrophy.

2. In the reference 2nd read above, the Government of India Published in its Extraordinary Gazette, dated.28.12.2016 regarding "THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 (RPWD Act, 2016)" by repealing the Persons with Disabilities Act 1995 and the new Act came in to force from 19.04.2017. The point 32 (1) in Chapter-VI of the said Gazette is as follows:

"All Government Institutions of Higher Education and other Higher Education Institutions receiving aid from the Government shall reserve not less than Five Percent seats for Persons with benchmark disabilities."

(P.T.O)

In the RPWD Act, 2016, the list of disabilities has been expanded from 7 to 21 conditions, and it now also includes cerebral palsy, dwarfism, muscular dystrophy, acid attack victims, hard of hearing, speech and language disability, specific learning disabilities, autism spectrum disorders, chronic neurological disorders such as multiple sclerosis and Parkinson's disease, blood disorders such as haemophilia, thalassemia, and sickle cell anemia, and multiple disabilities.

3. Based on the RPWD Act, 2016 Published in Extraordinary Gazette of India, the Government of Andhra Pradesh have issued G.O Ms.No.13, Department of Women, Children, Differently Abled and Senior Citizens (Prog.II), dated.19.04.2023 by adopting the Andhra Pradesh Rights of Persons with Disabilities Rules, 2023 from on 20.04.2023. The Chapter-VI Special Provisions for Persons with Benchmark Disabilities (under Chapter-VI of RPD Act, 2016) of this G.O under point (17) states that:

> ***"The provisions of Chapter-VI of the Act will be implemented as per the guidelines and instructions issued by the State Government from time to time."***

4. In the G.O 4th read above, the Government have issued Orders for Implementation of Section 32 of the Rights of Persons with Disabilities Act, 2016 and Reservation of five percent seats for persons with benchmark disabilities in all Government Institutions of Higher Education and other Higher Education Institutions receiving aid from the Government and upper age relaxation of five years for admission in Institutions of Higher education.

> *As defined under section-2(r) of the RPwD Act 2016, "persons with benchmark disability" means a person with not less than forty percent of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority. "Specified disability" means the disabilities as specified in the Schedule of the RPWD Act 2016.*

5. In the reference 5th read above, the Director of the Technical education has reported that the present G.Os are silent on allocation of 5% reserved seats among the persons of different benchmark disabilities in all Government Institutions of Higher Education and other Higher Education Institutions receiving aid from the Government and also in the Extraordinary Gazette of India, dated.28.12.2016 regarding "the Rights of Persons of Benchmark disabilities". Whereas, in case of employment the reservation among the persons of benchmark disabilities is clearly mentioned in the Chapter-VI, point 34 (1) and requested the Government of Andhra Pradesh for clarification regarding the allocation of 5% reserved seats among the persons of different benchmark disabilities in all Government/Govt. Aided/Private Polytechnics and Engineering Colleges having Diploma level courses receiving aid from the Government.

6. In the reference 6th cited, the Director, Welfare of Differently Abled Transgender & Senior Citizens, while enclosing a copy of the letter dated:03.07.2023 of the Principal Secretary to Government, Higher Education Department, A.P. Secretariat, Amaravati addressed to the Secretary, Andhra Pradesh State Council of Higher Education, Mangalagiri has requested the Director of the Technical Education to follow instructions issued in the said letter.

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7. Government after careful examination of the matter and considering the clarification given by the Principal Secretary to Government, Higher Education Department, A.P. Secretariat vide letter dated.03.07.2023 addressed to the Secretary, Andhra Pradesh State Council of Higher Education, hereby directed the Director of Technical Education to follow the model in Higher Education Institutions of Government of India, i.e, **to provide 5% percent reservation to the persons with benchmark disabilities on horizontal basis in each of GEN, GEN-EWS, OBC-NCL, SC and ST category seats without earmarking seats disability category wise for admission** in all Government/Govt. Aided/Private Polytechnics, Pharmacy and Engineering Colleges having Diploma level Courses receiving aid from the Government from the Academic year 2024-25. Further, the persons with benchmark disabilities shall be given **an upper age relaxation of five years for admission in all Government/Govt. Aided/Private Polytechnics, Pharmacy and Engineering Colleges having Diploma level courses** receiving aid from the Government.

8. The Director of Technical Education, A.P Mangalagiri and the secretary, State Board of Technical Education & Training, A.P shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S. SURESH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To,
The Director of Technical Education, Andhra Pradesh, Mangalagiri
The Chairperson, State Board of Technical Education & Training, A.P,Mangalagiri
The Secretary, State Board of Technical Education & Training, AP, Mangalagiri
Copy to:
The OSD to Hon'ble Minister for SD&T Department, A.P, Secretariat.
P.S to the Principal Secretary to Government (FAC), SD&T Dept, A.P, Secretariat.
The SD&T (OP) Department, A.P Secretariat.
SC/SF (Computer No: **2366795**)

//FORWARDED :: BY ORDER//

SECTION OFFICER